

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF OREGON

ARMEN ZARGARYAN,

Petitioner,

v.

ISRAEL JACQUEZ,

Respondent.

Case No. 3:24-cv-00104-JE

FINDINGS AND RECOMMENDATION

JELDERKS, Magistrate Judge.

Petitioner brings this 28 U.S.C. § 2241 habeas corpus case alleging that the Bureau of Prisons (“BOP”) has suspended the Residential Drug Abuse Program (“RDAP”) at FCI-Sheridan thereby depriving him of an early release benefit to which he is entitled. Because this case is identical to the challenge he raises in Case No. 3:23-cv-01945-JE, and as I have already issued a Findings and Recommendation in that matter recommending that the Court dismiss the Petition for lack of jurisdiction, the Court should also dismiss the Petition for Writ of Habeas Corpus (#1) filed in this second case for the reasons I provided in Case No. 3:23-cv-01945-JE.¹

¹ Unlike Case No. 3:23-cv-01945-JE, Petitioner has filed a supporting memorandum (#13) in the current case, but its contents do not change my recommendation for the reasons identified in my Findings in Recommendation in Case No. 23-cv-01945-JE.

RECOMMENDATION

The Petition for Writ of Habeas Corpus (#1) should be dismissed for lack of jurisdiction, and the Court should enter a judgment dismissing this case.

SCHEDULING ORDER

This Findings and Recommendation will be referred to a district judge. Objections, if any, are due within 17 days. If no objections are filed, then the Findings and Recommendation will go under advisement on that date.

If objections are filed, then a response is due within 14 days after being served with a copy of the objections. When the response is due or filed, whichever date is earlier, the Findings and Recommendation will go under advisement.

August 9, 2024
DATE

/s/ John Jelderks
John Jelderks
United States Magistrate Judge